



MEETING MINUTES

**CITY OF SCOTTSDALE POLICE LOCAL BOARD OF THE
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS)
SPECIAL MEETING
THURSDAY, JANUARY 30, 2014
Police and Fire Department Headquarters - Operations Room
8401 E. Indian School Road**

PRESENT: Jack Cross, Chairperson/Mayoral Designee
Bernadette La Mazza, Citizen Member/Merit Head
Jeffrey Walther, Elected Member
Hugo Meraz, Citizen Member

ABSENT: James Butera, Elected Member

STAFF: Ken Nemec
Chanda Washington

GUESTS: Hannah Auckland

CALL TO ORDER

Chairman Cross called the meeting to order at 11:15 a.m. He introduced new Board Member Hugo Meraz.

ROLL CALL

A formal roll call confirmed the members present as stated above.

- 1. Review and approval of regular session meeting minutes - January 16, 2014**

BOARD MEMBER WALTHER MOVED TO APPROVE AS PRESENTED THE REGULAR MEETING MINUTES FROM THE JANUARY 16, 2014 PSPRS POLICE LOCAL BOARD MEETING. BOARD MEMBER LA MAZZA SECONDED THE MOTION, WHICH CARRIED WITH A VOTE OF FOUR (4) TO ZERO (0). BOARD MEMBER BUTERA WAS ABSENT.

2. Review and approval of executive session meeting minutes - January 16, 2014

BOARD MEMBER WALTHER MOVED TO APPROVE AS PRESENTED THE EXECUTIVE SESSION MEETING MINUTES FROM THE JANUARY 16, 2014 PSPRS POLICE LOCAL BOARD MEETING. BOARD MEMBER LA MAZZA SECONDED THE MOTION, WHICH CARRIED WITH A VOTE OF FOUR (4) TO ZERO (0). BOARD MEMBER BUTERA WAS ABSENT.

3. Discussion and vote on the Ordinary Disability Retirement Application of Police Officer Gabriel Garcia

Ms. Washington said that the ordinary disability retirement application and all pertinent information was provided to the Board and noted that the IME doctor was available by phone if the Board had questions.

Chair Cross reviewed the Statute which says that there are two standards for an ordinary or non-job related disability: one standard for a mental condition and a different standard for a physical condition.

In response to a question by Board Member La Mazza, Ms. Washington said that she could suggest to Public Safety that the Ordinary Disability Questionnaire include an opportunity to indicate that it is not possible to determine whether a condition occurred prior to enrollment.

BOARD MEMBER LA MAZZA MOVED TO APPROVE THE ORDINARY DISABILITY RETIREMENT PENSION OF POLICE OFFICER GABRIEL GARCIA SINCE HE DOES MEET THE STATUTORY REQUIREMENTS, SUBJECT TO FINAL PAYROLL CALCULATIONS AND QUALIFIED DOMESTIC RELATIONS ORDERS. BOARD MEMBER WALTHER SECONDED THE MOTION.

Chair Cross reviewed the questions considered by the Board in making their decision, confirming that:

- 1) Officer Garcia is not eligible for normal retirement.
- 2) Officer Garcia filed the application in a timely manner because he is currently an employee.
- 3) Officer Garcia is terminated by reason of a disability.
- 4) Officer Garcia has been working on transitional duty.
- 5) Officer Garcia is unable to do a reasonable range of duties required by his job.
- 6) Officer Garcia has not refused a PSPRS covered position that the Board considered a reasonable range of duties within the employee's department. No such position was offered to Officer Garcia.
- 7) There was nothing in Officer Garcia's pre-employment physical indicating a prior condition.

THE MOTION TO APPROVE THE ORDINARY DISABILITY RETIREMENT PENSION OF POLICE OFFICER GABRIEL GARCIA SINCE HE DOES MEET THE STATUTORY REQUIREMENTS, SUBJECT TO FINAL PAYROLL CALCULATIONS AND

**QUALIFIED DOMESTIC RELATIONS ORDERS CARRIED WITH A VOTE OF
FOUR (4) TO ZERO (0). BOARD MEMBER BUTERA WAS ABSENT.**

Adjournment

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 11:27 a.m.

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